

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
NORTHERN DIVISION**

**JACKIE DALE FRANKLIN,**

*Plaintiff,*

*v.*

CAUSE NO. 3:22-CV-239-CWR-LGI

**COMMISSIONER BURL CAIN, et al.,**

*Defendants.*

**ORDER**

This matter is before the Court pursuant to the Report and Recommendation of the United States Magistrate Judge, which was entered on June 28, 2023. Docket No. 63. The Report and Recommendation notified the parties that failure to file written objections to the findings and recommendations contained therein within 14 days after service would bar further appeal in accordance with 28 U.S.C. § 636. *Id.*

This Court, finding that there have been no objections by any party, hereby adopts said Report and Recommendation as the Order of this Court. Accordingly, the *Motion for Summary Judgment Based on Failure to Exhaust Administrative Remedies* is **GRANTED**.<sup>1</sup> A separate Final Judgment shall issue.

**SO ORDERED**, this the 15th day of August, 2023.

s/ Carlton W. Reeves  
UNITED STATES DISTRICT JUDGE

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<sup>1</sup> The Court's ruling renders the Plaintiff's pending *Motion for Summary Judgment* moot.